

REMARKS/ARGUMENTS

Claims 1, 6-11, and 13-81 remain in the case.

Claims 1, 13, 19, 39 and 57 are amended.

Claims 1, 6-11, 14-15, 77-78, and 81 are rejected under 35 U.S.C. §102(e) as being anticipated by Forin (US 6,594,701).

Claims 13, 16-27, 29, 31-45, 47-65, 67-76, 79 and 80 are rejected under 35 U.S.C. §103(a) as being unpatentable over Forin in view of Dunning et al. (US 6,683,850). Dunning et al. is cited for its showing of negative acknowledgements.

Claims 8, 28, 30, 46 and 66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Forin in view of Dunning et al. (US 6,683,850) further in view of Cheriton et al. (US 6,724,721). Cheriton et al. is cited for allegedly teaching transmitting a predetermined number of credits from said receiving node to said sending node when said counter is equal to at least a predetermined value and decrementing said counter by the number of credits transmitted.

The independent claims have each been amended to recite that the credits communicated from the receive to the send node specify the begin and end of the data range. These amendments are supported, for example, on Page 20, line 7 of the specification. Thus, this specified or defined begin and end require data of a type not taught or suggested in Forin, which communicates only an amount of data to be communicated, not its begin or end.

The previously proposed amendments have been incorporated herein, since these were indicated that these *would be* entered on Notice of Appeal, not that they *were* entered.

It is therefore respectfully submitted that the primary reference is deficient in a material element of the claims, and that this deficiency is not remedied by the secondary references.

Applicants believe that claims 1, 6 - 11, and 13 - 81 are allowable and therefore respectfully request that the application be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven M. Hoffberg". The signature is fluid and cursive, with the first name "Steven" and last name "Hoffberg" being clearly legible.

Steven M. Hoffberg
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